

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CAROLYN ESCALANTE,

Plaintiff,

v.

SAN FRANCISCO COMMUNITY  
COLLEGE DISTRICT, AND BOARD OF  
TRUSTEES, et al.,

Defendants.

Case No. 18-cv-05562-HSG

**ORDER STRIKING PLAINTIFF'S  
"SUPPLEMENTAL MOTIONS" AND  
SETTING BRIEFING SCHEDULE**

Re: Dkt. Nos. 57, 64, 66

Plaintiff Carolyn Escalante, pro se, filed multiple "motions" in this case that are essentially supplemental briefing on motions that have already been fully briefed. *See* Dkt. Nos. 57, 64, 66. Plaintiff did not obtain prior Court approval before filing any of these motions, in violation of Civil Local Rule 7-3(d). *See* Civil L.R. 7-3(d). The Court therefore addresses Plaintiff's violations and briefing schedule with respect to each of these "supplemental motions."

On April 18, 2019, Plaintiff filed a "Motion to Opposition to San Francisco Community College District's Motion to Dismiss," which is essentially a sur-reply to Defendants' reply in support of their motion to dismiss. Dkt. No. 64. Plaintiff did not obtain prior Court approval before filing her motion. *See* Civil L.R. 7-3(d). Defendants filed their opposition to this motion on May 2, 2019. Dkt. No. 67. Under the rules, Plaintiff is not allowed to respond to Defendants' reply (by filing something called a "motion" or in any other way). The schedule for filings is motion, opposition, and reply, with no further filings permitted absent advance permission from the Court. The Court thus **STRIKES** Dkt. No. 64 for failure to comply with the Local Rules.

Plaintiff also filed a "supplemental motion" to her motion for default judgment *after* filing her reply brief in support of her motion for default judgment, again without obtaining prior Court

1 approval, in violation of Civil Local Rule 7-3(d). *See* Dkt. No. 57; Civil L.R. 7-3(d). The Court  
2 thus **STRIKES** Dkt. No. 57.

3 Plaintiff then filed another “motion for default judgment,” which is essentially a request  
4 for sanctions against Defendant Maria M. Lampasona, who is also serving as counsel for SFCCD  
5 Defendants. Dkt. No. 66. Defendants may file an opposition to this motion by May 10, 2019, and  
6 Plaintiff may file her reply brief by May 17, 2019. Parties must limit their briefings to arguments  
7 on the sanctions issue only, as briefing for the motion for default judgment has been completed.  
8 Plaintiff’s motion will be heard at 2:00 p.m. on May 22, 2019, along with all the other motions  
9 currently pending before the Court.

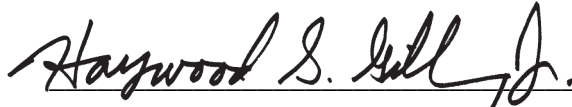
10 The Court directs Plaintiff to comply with the Civil Local Rules when filing papers, and  
11 informs her that the Court will continue to strike and disregard briefs that do not comply with  
12 those rules.<sup>1</sup>

13 It is **HEREBY ORDERED** that:

- 14 1. Plaintiff’s “Motion to Opposition,” Dkt. No. 64, and “Supplemental Motion re  
15 Reply to Opposition/Response,” Dkt. No. 57, are **STRICKEN**; and
- 16 2. Defendants may file an opposition to Plaintiff’s Motion for Default Judgment, Dkt.  
17 No. 66, by May 10, 2019, and Plaintiff may file her reply brief by May 17, 2019.  
18 Plaintiff’s motion will be heard at 2:00 p.m. on May 22, 2019.

19 **IT IS SO ORDERED.**

20 Dated: 5/6/2019

21   
22 HAYWOOD S. GILLIAM, JR.  
23 United States District Judge  
24  
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27 <sup>1</sup> The Court also warns Plaintiff that to the extent Phillip Martinez is acting as her *de facto* legal  
28 representative, because Mr. Martinez is not a licensed attorney, this is strictly prohibited. *See*  
Civil L.R. 3-9(a), 11-1.